

Court No. 17

WPA 17827 of 2022

14.09.2022

(AD 120)

(S. Banerjee)

Tapas Kumar Sarkar

Vs.

The State of West Bengal & Ors.

Mr. U. A. Dewan

Mr. A. Dewan

... for the petitioner

Mr. Supriyo Chattopadhyay

Ms. Sayantanee Bhattacharya

... for the State

Mr. Biswabrata Basu Mallick

... for the DPSC, Hooghly

The petitioner was implicated in some criminal cases which are not related to the service of the petitioner. From the charge-sheet annexed to the writ application (at page 28 of the writ petition) it is found that during investigation it became evident that there was a civil dispute which has been prevailing for more than a decade between the complainant and the FIR-named accused (the petitioner is one of the FIR-named accused) which often resulted in conflicts. The petitioner has been enlarged on bail.

I direct the Chairman of DPSC, Hooghly to look into the matter and to hear the petitioner and to take a decision as to whether the petitioner will be allowed to join the service or not. This has to be done within a

period of 60 days from the date of communication of this order. I think that when the criminal case is the outcome of a long pending civil dispute between two parties, there is no reason as to why the petitioner will remained suspended even after getting the bail.

However, the Chairman will take his own decision without being influenced by the observation of this court.

With the observation and direction above, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)